

a modulator/demodulator to communicate modulated data between said antenna and said memory unit.

### **REMARKS**

#### **INTRODUCTION:**

In accordance with the forgoing, claims 1, 2, 5, 10, 11, 12, 14, 15, 16, 17, 20, 23 and 24 have been amended. No new matter is being presented, and approval and entry of the amendments are respectfully requested.

Claims 1-25 are pending and under consideration.

#### **REJECTION UNDER 35 U.S.C. §103(a):**

In the Office Action, at page 2, claims 1-3, 5-10, 12-25 were rejected under 35 U.S.C. §103 as being unpatentable over Shimamura et al. (U.S. Patent No. 5,522,509). The reasons for the rejection are set forth in the Office Action and therefore are not repeated. The rejection is traversed and reconsideration is requested.

Claim 1 recites a charging system comprising a re-writable data carrier, "the re-writable data carrier waiting a predetermined period after the reading means reads the data before answering an inquiry from the reading means." Thus, the data carriers do not respond

to queries from the reader for a predetermined period after they have responded to the reader and the reader has read the data.

This feature is disclosed in FIG. 5 of the present application, in which the data carrier comprises an antenna 21 and an IC chip 22 (comprising electric power generating circuit, memory, coding/decoding unit etc.). Furthermore, as shown in FIG. 7 of the present invention, after communicating with the reader/writer unit at step S15, the data carriers stop responding to inquiries from the reader/writer unit for a period. Thus, as shown in FIG. 8, after communicating with a reader/writer unit, data carriers will not respond to later inquiries. Thus, the reader/writer unit can communicate with each of the plurality of data carriers and complete the necessary operations within a given time period.

The Examiner admits that Shimamura et al. fails to disclose a rewritable tag which includes a memory unit for selectively writing data thereon, asserting that the use of such tags is known in the art, as evidenced by Hotta et al. (U.S. 5,521,371). However, Hotta et al. does not disclose the claimed feature of a predetermined waiting period after the reading means reads the data before answering an inquiry from the reading means.

Instead, Hotta et al. is related to the display of re-writable bar codes. Col. 6, ln. 36-44. In Hotta et al., the transparency level of the reversible thermo-sensible recording layer of the display media changes with temperature. Col. 18, ln. 46-62. This property is the basis for re-writing the data on the recording layer. Hotta et al. simply discloses a re-writing method, and does not disclose the “predetermined period” before responding of claim 1. Furthermore, the bar code media disclosed in Hotta et al. differs from that of the present invention.

Accordingly, withdrawal of the rejection of claim 1 is respectfully requested.

Claim 2 has been amended to recite "the re-writable data carrier waiting a predetermined period after the writing means writes the data before answering an inquiry from the writing means." Thus, claim 2 is patentable over Shimamura et al. for similar reasons as discussed above. Independent claims 5, 10, 12, 14, 15, 16, 17, 20, 23 and 24 have been similarly amended. Accordingly, withdrawal of the rejection of claims 2, 5, 10, 12, 14, 15, 16, 17, 20, 23 and 24 and claims 3, 6-9, 13, 18-19, 21-22 and 25 depending therefrom is requested.

In the Office Action at page 4, claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Shimamura et al. in view of Ehrat, (U.S. Patent No. 3,836,755). Furthermore, claim 11 is rejected under 35 U.S.C. §103(a) as being unpatentable over Shepley, (U.S. Patent No. 5,478,989). These rejections are respectfully traversed in light of the following.

Claims 4 depends from claim 1, which has been amended, as discussed above. Claim 11 now recites the "the re-writable data carrier waiting a predetermined period after the reading means reads the data before answering an inquiry from the reading means." Accordingly, it is respectfully submitted that claims 4 and 11 are patentable over Shimamura et al. for similar reasons as noted above. It is further submitted that neither Ehrat nor Shepley overcomes the differences in Shimamura et al., and these references are not relied upon by the Examiner as such.

Accordingly, withdrawal of the rejections of claims 4 and 11 is respectfully requested.

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Still further, it is respectfully requested that these amendments After Final be entered as they do not require further search or substantive consideration. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining informalities to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such informalities.

If any further fees are required in connection with the filing of this Amendment, please charge same to our Deposit Account No. 19-3935.

Respectfully submitted,  
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